

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

LARRY KEPHART,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08-00448-CV-W-FJG
	)	
FORD MOTOR COMPANY,	)	
	)	
Defendant.	)	

**ORDER**

Pending before the Court are defendant's revised objections to plaintiff's deposition designations as submitted to the Court on September 21, 2009 via facsimile transmission, in relation to Defendant's Objections to Plaintiff's Deposition Designations (Doc. No. 62). The Court rules as follows:

**Proposed Designation**

**Objection**

**1. Deposition of Donald Wood**

**P. 41**, lines 12-15 and 18-21

Hearsay, vague and ambiguous,  
speculation

RULING: SUSTAINED

**P. 44**, lines 7-12, and 15

Vague and ambiguous, speculation

RULING: OVERRULED

**P. 49**, lines 4-6, 10-14, and 16

Speculation, legal conclusion, vague  
and ambiguous

RULING: OVERRULED

**P. 52**, lines 6-9, 12, and 18-23

Speculation

RULING: SUSTAINED

## **2. Deposition of Scott Williams**

**P. 29**, lines 16-19

Speculation, argumentative  
RULING: OVERRULED

## **3. Deposition of Christopher Fenner**

**P. 31**, lines 2-25

Hearsay  
RULING: SUSTAINED

**P. 32**, lines 1-16

Hearsay, speculation, vague and  
ambiguous, compound  
RULING: SUSTAINED

**P. 35**, lines 19-24

Hearsay, speculation, vague and  
ambiguous  
RULING: SUSTAINED

**P. 36**, lines 1-3

Hearsay, speculation, vague and  
ambiguous  
RULING: SUSTAINED

**P. 36**, lines 13-16, and 19

Speculation  
RULING: SUSTAINED

**P. 37**, lines 8, 11-15, and 17

Speculation, argumentative  
RULING: SUSTAINED

**P. 37**, lines 18-21, and 24-25

Speculation, legal conclusion  
RULING: SUSTAINED

**P. 38**, lines 1-3, and 6-7

Speculation, legal conclusion  
RULING: SUSTAINED

**P. 39**, lines 10-13, 16-21, and 24-25

Speculation, legal conclusion  
RULING: SUSTAINED

**P. 40**, lines 1-7, and 10

Speculation, legal conclusion  
RULING: SUSTAINED

#### **4. Deposition of Brett Neal**

<b>P. 83</b> , lines 5-8, 11-15, and 18	Speculation, legal conclusion RULING: OVERRULED
<b>P. 84</b> , lines 6-9, and 12-14	Speculation RULING: OVERRULED
<b>P. 86</b> , lines 3-6, and 9-11	Speculation RULING: OVERRULED
<b>P. 90</b> , lines 19-25	Speculation, vague and ambiguous RULING: OVERRULED
<b>P. 91</b> , lines 1-2, and 6-7	Speculation, vague and ambiguous RULING: OVERRULED
<b>P. 91</b> , lines 8-11, 14-19, and 21-23	Speculation RULING: OVERRULED
<b>P. 92</b> , lines 19-23	Speculation RULING: SUSTAINED
<b>P. 93</b> , lines 1-6, and 9-11	Speculation RULING: SUSTAINED
<b>P. 100</b> , lines 3-8, 11-18, and 21-25	Speculation RULING: OVERRULED
<b>P. 101</b> , lines 1-5, and 8-11	Speculation RULING: SUSTAINED

**IT IS SO ORDERED.**

Date: 09/25/09  
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.  
Fernando J. Gaitan, Jr.  
Chief United States District Judge